

**IN THE UNITED STATE'S DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**DR. JOHN A VALENZA, DEAN OF
THE UNIVERSITY OF TEXAS HEALTH
SCIENCES CENTER AT HOUSTON
SCHOOL OF DENTISTRY,
IN HIS OFFICIAL CAPACITY AND
INDIVIDUALLY
Defendant,** §
§ Civil Action No. 4:11-CV-02971
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§

**PLAINTIFF'S UNOPPOSED MOTION TO EXTEND TIME
TO RESPOND TO DEFENDANT'S MOTION TO DISMISS**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES Stephen Tapp, Plaintiff herein, by and through his attorney of record, Martin J. Cirkiel of the Law Firm of Cirkiel & Associates, P.C, and brings this their "Plaintiffs Unopposed Motion To Extend Time to Respond to Defendant's Motion to Dismiss," and would respectfully show this Court the following:

I. FACTUAL AND PROCEDURAL RESUME

1. The University of Texas Health Sciences Center filed their *Defendant's Motion To Dismiss Plaintiff's Second Amended Complaint* on February 15, 2012. Plaintiff's *Response* is due on March 7, 2012.
2. Plaintiff's Counsel has been involved in significant professional and unplanned for family responsibilities, that has made it impossible for him to respond, in a timely manner. He seeks a seven (7) day extension or by March 14, 2012, to file his *Response*.
3. This request is unopposed by Counsel for the Defendant.
4. This request is not for delay but rather so that justice may prevail.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this “Unopposed Motion To Extend Time to Respond to Defendant’s Motion to Dismiss,” be granted and for such other further relief as the Court may deem just and proper in law or in equity.

Respectfully submitted,

Cirkiel & Associates, P.C.

/s/ Martin J. Cirkiel

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ATTORNEY FOR PLAINTIFFS

DECLARATION

I swear under the penalties of perjury that the information provided in “*Plaintiffs Unopposed Motion to Extend Time to Respond to Defendant’s Motion to Dismiss*,” is true and correct, to the best of my knowledge.

/s/ Martin J. Cirkiel
Martin J. Cirkiel

CERTIFICATE OF CONFERENCE

I confirm that on or about March 6, I communicated with Counsel for the UT HSC Defendant, the Honorable Donald G. Gibson, who was UNOPPOSED to this motion.

/s/ Martin J. Cirkiel
Martin J. Cirkiel

CERTIFICATE OF SERVICE

This is to certify that on this the 7th day off March, 2012, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Southern District of Texas, using the electronic filing system of the Court. The electronic case filing system will send a “Notice of Electronic Filing” to the following attorney of record who has consented to accept this Notice as service of this document by electronic means:

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/s/ Martin J. Cirkiel
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